

10 JUL -7 25:15

SENATE

Senate Bill No. 787

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INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

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EXPLANATORY NOTE

Republic Act No. 6713 constitutes the Code of Conduct and Ethical Standards for Public Officials and Employees.

Similarly, this bill seeks to set professional standards for the practice of political public relations. More specifically, it seeks to achieve the following goals:

- (1) To discourage and expose to public censure the persons who corrupt the integrity of channels of communication or the processes of government;
- (2) To ensure that those engaged in political public relations conduct themselves professionally, with truth, accuracy, fairness and responsibility to the public; and
- (3) To encourage such practitioners to improve their individual competence and advance the knowledge and proficiency of their profession through continuing research and education.

This bill is based on the Code of Professional Standards for the Practice of Public Relations adopted in 1988 by the Public Relations Society of America.

Immediate approval of this bill is urgently recommended.

  
JINGGOY EJERCITO ESTRADA  
Senator

10 JUL -7 P5:15

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INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

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AN ACT  
PROVIDING FOR AND ESTABLISHING THE CODE OF PROFESSIONAL  
STANDARDS FOR THE PRACTICE OF POLITICAL PUBLIC RELATIONS

*Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:*

**SECTION 1. *Definition of Political Public Relations*** - Political Public Relations is defined as those areas of public relations that relate to:

- (a) the counseling of political organizations, committees, candidates or potential candidates for public office and groups constituted for the purpose of influencing the vote on any ballot issue;
- (b) the counseling of holders of public office;
- (c) the management or direction of a political campaign for or against a candidate for public office, or for or against a ballot issue to be determined by voter approval or rejection;
- (d) the practice of public relations on behalf of a client or an employer in connection with that client's or employer's relationships with any candidates or holders of public office, with the purpose of influencing legislation or government regulation or treatment of a client or employer, regardless of whether the public relations practitioner is a recognized lobbyist;
- (e) the counseling of government bodies, or segments thereof, either domestic or foreign.

**SEC. 2. *Public Interest*** - A practitioner in political public relations shall conduct his or her professional life in accord with public interest.

**SEC. 3. *Honesty and Integrity*** - A practitioner shall exemplify high standards of honesty and integrity while carrying out dual obligations to a client or employer and to the democratic process.

**SEC. 4. Fair Dealing** - A practitioner shall deal fairly with the public, with past or present clients or employers, and with fellow practitioners, giving due respect to the ideal of free inquiry and to the opinions of others.

**SEC. 5. Accuracy and Truth** - A practitioner shall adhere to the highest standards of accuracy and truth, avoiding extravagant claims or unfair comparisons and giving credit for ideas and words borrowed from others.

**SEC. 6. False Information** - A practitioner shall not knowingly disseminate false or misleading information and shall act promptly to correct erroneous communications for which he or she is responsible.

**SEC. 7. Corruption** - A practitioner shall not engage in any practice which has the purpose of corrupting the integrity of channels of communications or the processes of government.

Among the practices prohibited by this paragraph are those that tend to place representatives of media or government under any obligation to the practitioner or the practitioner's employer or client, which is in conflict with their obligations to media or government such as:

- (a) the giving of gifts of more than nominal value;
- (b) any form of payment or compensation to a member of the media in order to obtain preferential or guaranteed news or editorial coverage in the medium;
- (c) any retainer or fee to a media employee or use of such employee if retained by a client or employer, where the circumstances are not fully disclosed to and accepted by the media employer;
- (d) providing trips, for media representatives, that are unrelated to legitimate news interest;
- (e) the use by a practitioner of an investment or loan or advertising commitment made by the practitioner or the practitioner's client or employer, to obtain preferential or guaranteed coverage in the medium;

This Code does not prohibit hosting media or government representatives at meals, cocktails or news functions and special events that are occasions for the exchange of news information or views, or the furtherance of understanding, which is part of the public relations functions. Nor does it prohibit the bona fide press event or tour when media or government representatives are given the opportunity for an on-the-spot viewing of a newsworthy product, process or event in which the media or government representatives have a legitimate interest. Customary or reasonable hospitality has to be a matter of particular judgment in specific situations. In all of these cases, however, it is or should be, understood that no preferential treatment or guarantees are expected or implied and that complete independence always is left to the media or government representative.

**SEC. 8. Public Identification** - A practitioner shall be prepared to identify publicly the name of the client or employer on whose behalf any public communication is made.

**SEC. 9. *Undisclosed Interest*** - A practitioner shall not use any individual or organization professing to serve<sup>01</sup> represent an announced cause, or professing to be independent or unbiased, but actually serving another undisclosed interest.

**SEC. 10. *Guarantee of Achievement*** - A practitioner shall not guarantee the achievement of specified results beyond his direct control.

**SEC. 11. *Conflicting Interests*** -A practitioner shall not represent conflicting or competing interests without the express consent of those concerned, given after a full disclosure of the facts.

**SEC. 12. *Personal Interest*** - A practitioner shall not place himself or herself in a position where the practitioner's personal interest is or may be in conflict with an obligation to an employer or client, or others, without full disclosure of such interests to all involved.

**SEC. 13. *Gifts and Other Considerations*** - A practitioner shall not accept fees, commissions, gifts, or any other consideration from anyone except clients or employers for whom services are performed without their express consent, given after full disclosure of the facts.

**SEC. 14. *Damage to Professional Reputation*** - A practitioner shall not intentionally damage the professional reputation or practice of another practitioner.

**SEC. 15. *Responsibility of Strict Adherence*** - It is the responsibility of practitioners to abide by this Code of Professional Standards.

**SEC. 16. *Good Faith*** - Practitioners shall represent clients or employers in good faith, and while partisan advocacy on behalf of a candidate or public issue may be expected, practitioners shall act in accord with the public interest and adhere to truth and accuracy and to generally accepted standards of good taste.

**SEC. 17. *Signed Material*** - Practitioners shall not issue descriptive material or any advertising or publicity information or participate in the preparation or use thereof that is not signed by responsible persons or is false, misleading, or unlabeled as to its source and are obligated to use care to avoid dissemination of any such material.

**SEC. 18. *Disclosure of Remuneration*** - Practitioners have an obligation to clients to disclose whatever remuneration beyond their fees they expect to receive as a result of their relationship, such as commissions for media advertising, printing and the like and should not accept such extra payment without their client's consent.

**SEC. 19. *Improper Use of Position*** - Practitioners shall not improperly use their positions to encourage additional future employment or compensation. It is understood that successful campaign directors or managers, because of the performance of their duties and the working relationship that develops, may well continue to assist and counsel, for pay, the successful candidate.

**SEC. 20. *Other Clients*** - Practitioners shall voluntarily disclose to employers or clients the identity of other employers or clients with whom they are currently associated, and whose interests might be affected favorably or unfavorably by their political representation.

**SEC. 21. *Confidentiality of Information*** - Practitioners shall respect the confidentiality of information pertaining to employers or clients past, present and potential, even after relationships cease, avoiding future associations wherein insider information is sought that would give a desired advantage over a practitioner's previous clients.

**SEC. 22. *Undisclosed Gifts*** - In avoiding practices that might tend to corrupt the processes of government, practitioners shall not make undisclosed gifts of cash or other valuable considerations that are designed to influence specific decisions of voters, legislators, or public officials on public matters. A business lunch or dinner or other comparable expenditure made in the course of communicating a point of view or public position, would not constitute such a violation. Nor would a tour or visit designed and financed to provide useful background information to an interested legislator or candidate.

**SEC. 23. *Political Contributions*** - Nothing herein shall be construed as prohibiting practitioners from making legal, properly disclosed contributions to the candidates, party or referenda issues of their choice.

**SEC. 24. *Injury to Public Reputation*** - Practitioners shall not, through the use of information known to be false or misleading, conveyed directly or through a third party, intentionally injure the public reputation of an opposing interest.

**SEC. 25. *Sanctions***. - Without prejudice to prosecution under existing criminal laws, practitioners who violate any provision of this Code shall be liable for damages.

**SEC. 26. *Repealing Clause*** - All laws, rules or regulations and presidential issuances inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

**SEC. 27. *Effectivity Clause*** - This Act shall take fifteen (15) days after its publication in a newspaper of general circulation.

*Approved,*